

AN ORDINANCE 2006 - 0 1 - 1 2 - 7 0

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY
OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED
DEVELOPMENT CODE, SECTION 35-304, OF THE CITY
CODE OF SAN ANTONIO, TEXAS BY CHANGING THE
ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

* * * * *

WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 1.12 acres out of NCB 17456 from "C-2" Commercial District to "C-2 S" Commercial District with a Specific Use Permit for a Hotel.

SECTION 2. The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

SECTION 3. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

SECTION 4. The City Council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as Exhibit "B" and made a part hereof and incorporated herein for all purposes.

SECTION 5. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

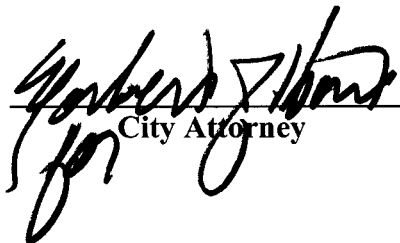
SECTION 6. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective January 22, 2006.

PASSED AND APPROVED this 12th day of January, 2006.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney



DESCRIPTION OF A 1.12 ACRE TRACT

BEING A 1.12 ACRE TRACT OF LAND, LOCATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND OUT OF LOT 1, BLOCK 3, NEW CITY BLOCK (N.C.B.) 17456, THE FOUNTAINHEAD SUBDIVISION AS DESCRIBED IN VOLUME 9507, PAGE 132, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS (D.P.R.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a found ½" iron rebar with an MBC cap, the northwest corner of this tract and the southwest corner of Lot 4, Block 3, N.C.B. 17456, Villa Serena Subdivision, as described in Volume 9536, Page 21, D.P.R. and on the east right of way line of Horizon Hill Blvd, (60 foot right of way);

THENCE, N 75°43'42"E, leaving the said right of way line, with the common line of said 2.91 acre tract and said Lot 4, Block, 3, N.C.B. 17456, a distance of 212.39 feet to a found ½" iron rebar for an angle point;

THENCE, N 62°31'49"E, continuing with said common line, a distance of 1.43 feet, to a point, for the Northeast corner of this tract and a point of curvature of a non tangent curve to the left;

THENCE, leaving said common line and crossing aforementioned Lot 1, the following five courses:

Southerly, with said curve to the left, having a radius of 1337.52, central angle of 11°04'33", length of 258.56 feet, chord bearing and distance of S 15°37'06"E, 258.15 feet to a point of intersection;

N 74°38'21"W, a distance of 34.82 feet to a set ½" iron rebar with a yellow cap stamped "UCE INC RPLS 5722" for an angle point;

S 88°09'01"W, a distance of 55.74 feet to a set ½" iron rebar with a yellow cap stamped "UCE INC RPLS 5722" for an angle point;

S 78°21'29"W, a distance of 125.61 feet to a set ½" iron rebar with a yellow cap stamped "UCE INC RPLS 5722" for the Southwest corner of this tract, and on the east right of way line of Horizon Hill Blvd and a point of curvature to left;

THENCE, northerly along common line of said Horizon Hill Blvd and this tract, a curve to the left, having a radius of 1125.52 feet, central angle of 11°22'13", length of 223.36 feet, chord bearing and distance of N16°45'32"W, 223.00 feet to the POINT OF BEGINNING containing 1.12 acres of land (49,173 sq. ft.) more or less.

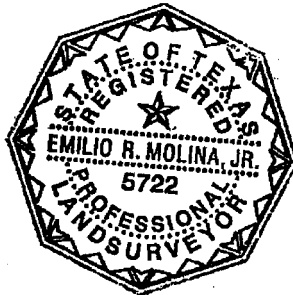
EXHIBIT A

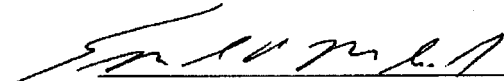
1 To Ordinance No. 49
p Passed and Approved on 2006
January 12, 2006

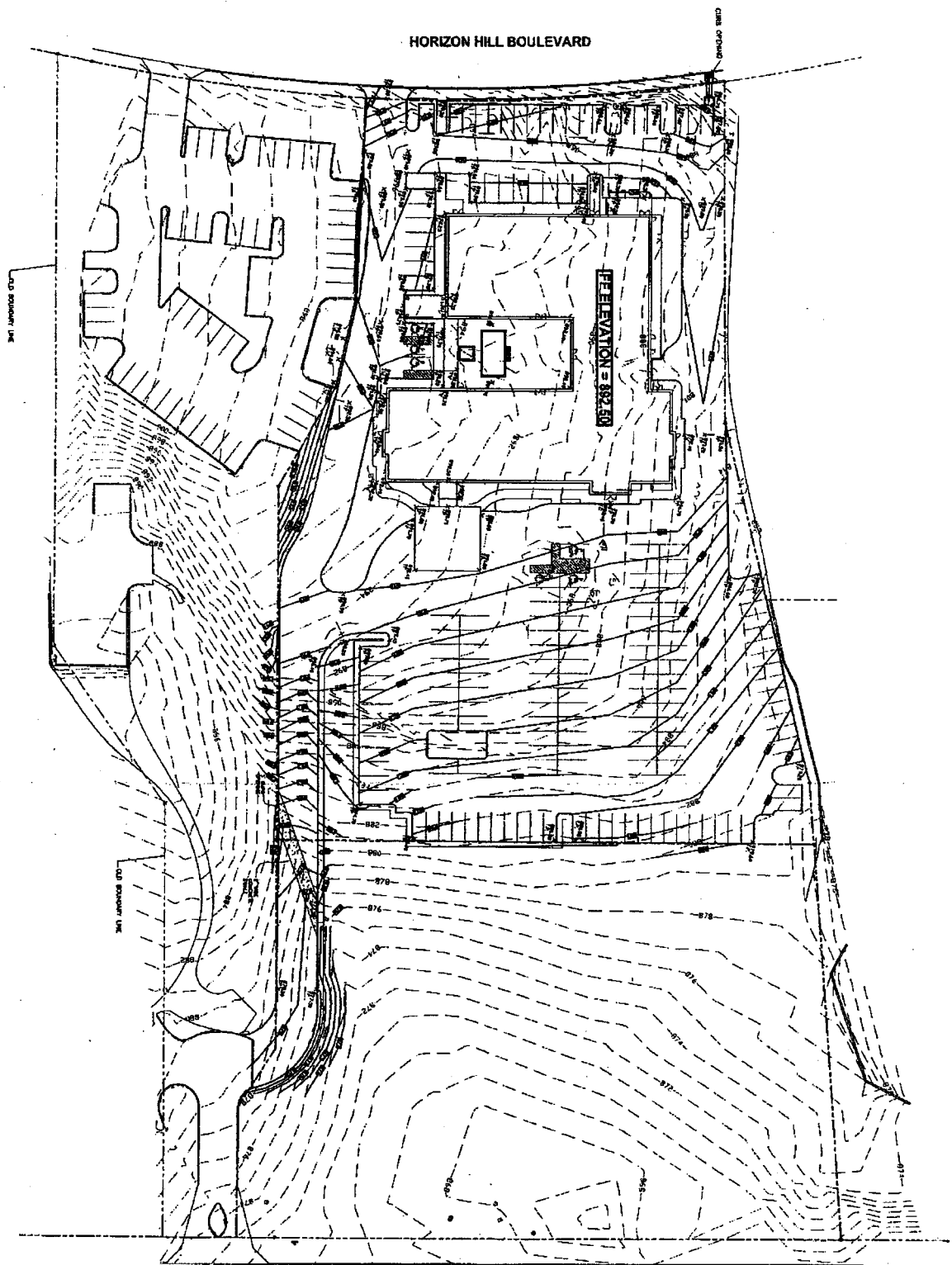
Z2005262

The basis of bearings recited herein is Eastern line of Lot 1, Block 3, N.C.B 17456, The Fountainhead, described in Volume 9507, Pages 132, D.P.R.

This description was prepared for a survey made on the ground by employees of Unintech Consulting Engineers, Inc. There is an exhibit with like job number and date.

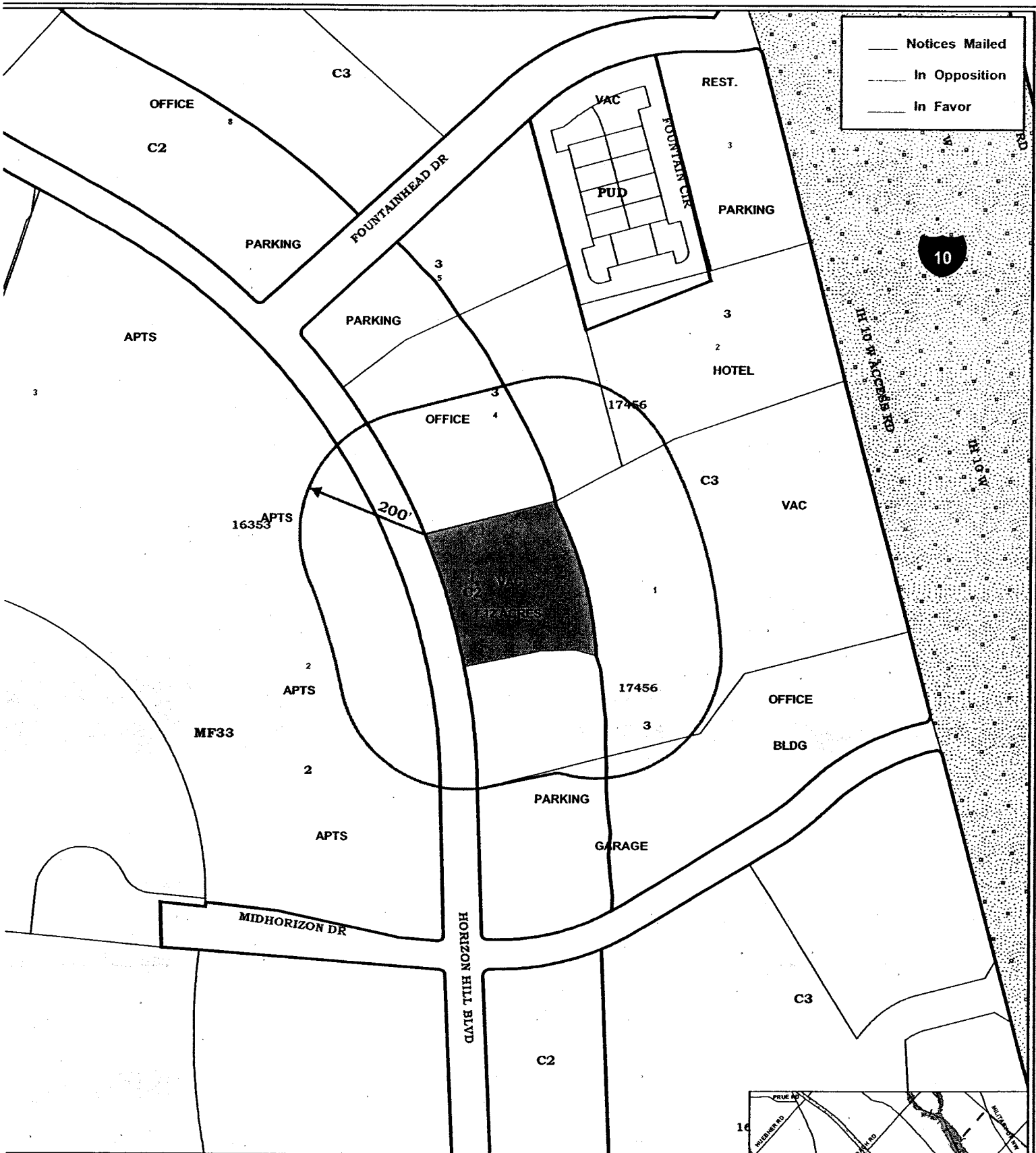



Emilio R. Molina, Jr., RPLS No. 5722
Job No. 05-111-S
October 14, 2005



| | | | |
|--|--|--|--|
| Client: Martin Feldman Associates, Inc. 202 E. Lamar Dallas, Texas 75201 | | Project Title: La Quinta Suites and Conference Center 2001 Hill Country Road, Austin, Texas 78701 | |
| Architect: E P STEIN 1000 N. St. Louis Dallas, Texas 75201 Tel: 214-756-1100 Fax: 214-756-1101 | | Consultant: UNITED STATES CONSULTING ENGINEERS, INC. 1000 N. St. Louis Dallas, Texas 75201 Tel: 214-756-1100 Fax: 214-756-1101 | |
| Contract: 1. DESIGN AND CONSTRUCTION OF THE LA QUINTA SUITES AND CONFERENCE CENTER, 2001 HILL COUNTRY ROAD, AUSTIN, TEXAS. | | | |
| Scale: 1" = 30' | | | |
| Drawn By: [Blank] | | | |
| Checked By: [Blank] | | | |
| Project Manager: JACOBITE/DAVIS/ST | | | |
| Project Number: 00-1114 | | | |
| Sheet Title: GRADING PLAN | | | |
| Revision/Remarks: [Blank] | | | |
| Date: 11-21-98 | | | |
| Drawn/Checked: 11-21-98 | | | |
| Scale: 1" = 30' | | | |
| Drawn By: [Blank] | | | |
| Checked By: [Blank] | | | |

SITE PLAN- EXHIBIT "B" 1/2/06 Z-16 CASE NO. Z20052625



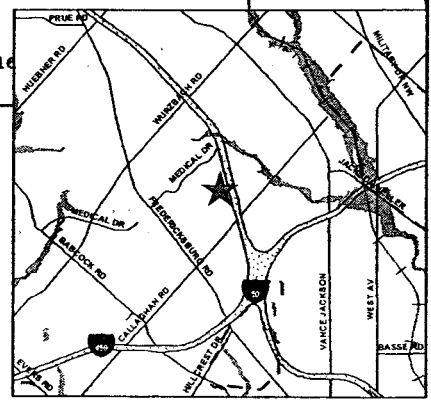
ZONING CASE: Z2005-262 S

City Council District No. 8
 Requested Zoning Change
 From "C-2" To "C-2" S
 Date: January 12, 2006
 Scale: 1" = 200'

- Subject Property
- 200' Notification



C:\Dec. 6, 2005



CASE NO: Z2005262 S

Staff and Zoning Commission Recommendation - City Council

Date: January 12, 2006

Zoning Commission Meeting Date: December 06, 2005

Council District: 8

Ferguson Map: 549 C8

Applicant:

Unitech Consulting Engineers,
Incorporated

Owner:

Henry Feldman

Zoning Request: From "C-2" Commercial District to "C-2 S" Commercial District with a Specific Use Permit for a Hotel

1.12 acres out of NCB 17456

Property Location: 4431 Horizon Hill Boulevard

North of the intersection of Horizonhill Boulevard and Midhorizon Drive

Proposal: To develop an hotel

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required, however, it may be required at the building permit or plat stage.

Staff Recommendation:

Approval

The subject property is currently vacant and located north of the intersection of Horizon Hill Boulevard and Midhorizon Drive. The properties to the north and south contain commercial developments. The properties to the west contain a multi-family development.

The property was previously zoned Temporary "R-1" Residential District and rezoned to "B-2" Business District in January of 1979. The zoning case created a transitional zone of a strip of "B-3" Business District, "B-2" Business District, "R-3" Multi-Family District, and then "R-1" Single-Family Residential District. These zoning districts were converted to the current districts with the adoption of the 2001 Unified Development Code (UDC).

The applicant is requesting a "C-3" General Commercial District in order to build a hotel. The existing zoning currently serves as a transition from the highway to the residential development. Changing this property to "C-3" would interrupt the transition. A "C-2 S" Commercial District with a Specific Use Permit for a hotel would be more appropriate at this location. Due to the existing nature of the land use, this development would be appropriate.

Zoning Commission Recommendation:

Approval

VOTE

| | |
|---------|---|
| FOR | 7 |
| AGAINST | 0 |
| ABSTAIN | 0 |
| RECUSAL | 0 |

CASE MANAGER : Robin Stover 207-7945

Z2005262 S

ZONING CASE NO. Z2005262 – December 6, 2005

Applicant: Unitech Consulting Engineers, Incorporated

Zoning Request: "C-2" Commercial District to "C-3" General Commercial District.

Clifford Hew, 12758 Cimarron Path, Ste. 118, representing the owner, that they are requesting the change of zoning to construct a 186 room, 8-story hotel with a conference center. He further stated that they would like to amend their request to "C-2 S" as recommended by staff.

Staff stated there were 7 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Stribling and seconded by Commissioner McAden to recommend approval of the amended request to "C-2 S".

1. Property is located on 1.12 acres out of NCB 17456 at 8300 IH-10 West.
2. There were 7 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends denial of "C-3" and approval of "C-2 S".

AYES: Martinez, Robbins, Rodriguez, Marshall, Sherrill, Stribling, Gray

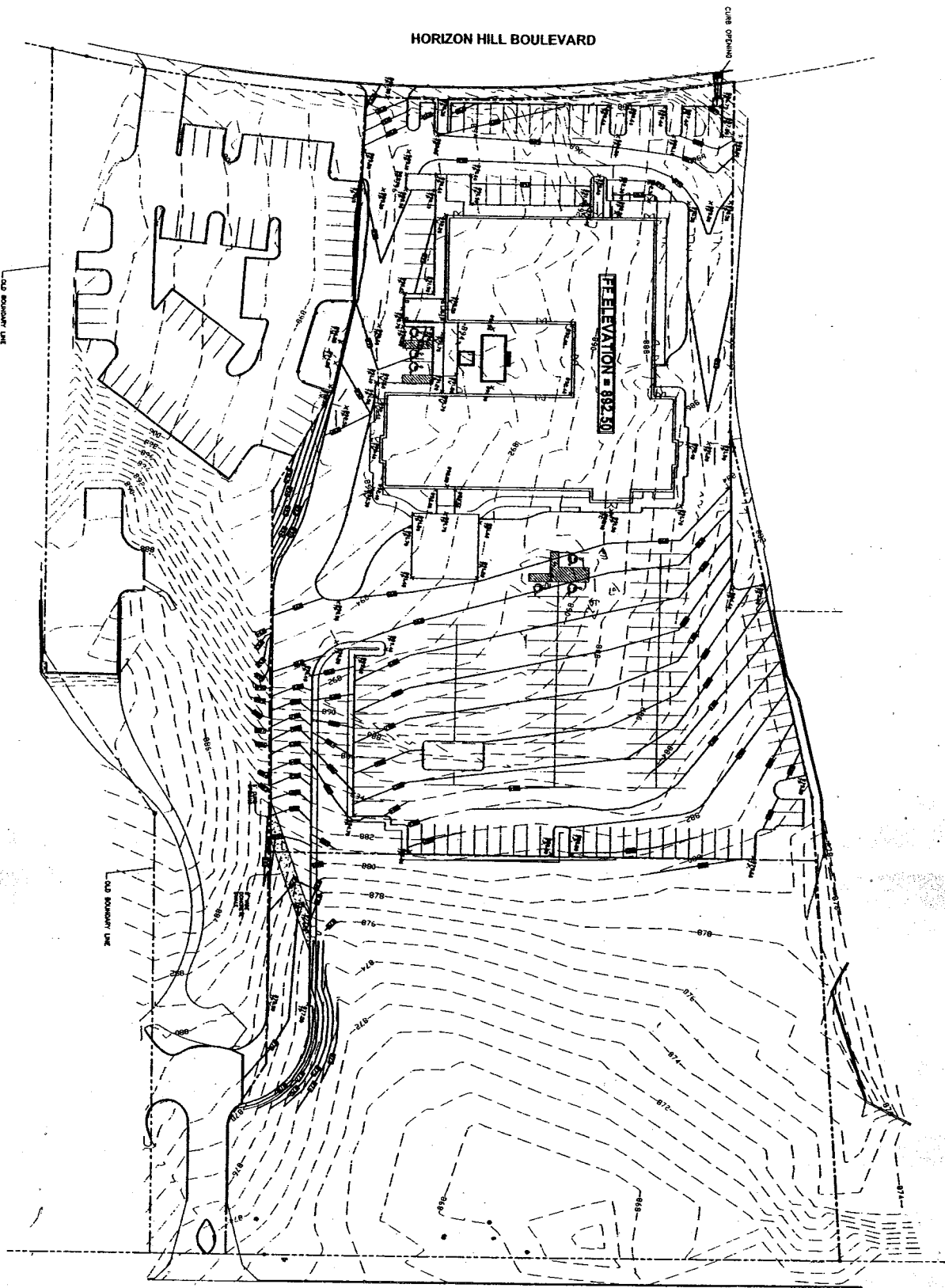
NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

HORIZON HILL BOULEVARD



INTERSTATE 10

CLIENT
Martin Feldman Associates, Inc.
Partnership
7000
7000

PROJECT TITLE
**La Quinta Suites and
Conference Center**
10000 SAN ANTONIO, TEXAS 78203

ARCHITECT
EPSTEIN
405 N. 10th Street
Suite 1000
Dallas, Texas 75201
Tel: 214 555 4455
Fax: 214 555 4255

A. DESIGN AND CONSTRUCTION
CONSULTANT
**UNITECH CONSULTING
ENGINEERS, INC.**
10000 SAN ANTONIO, TEXAS 78203
Tel: 214 555 4455
Fax: 214 555 4255

DATE: 10-21-88
DRAWN: J. L. LAMAR
CHECKED: J. L. LAMAR
DATE: 10-21-88

DESIGN NOTES

| | |
|----------------------|----------|
| DESIGN/REVISIONS | DATE |
| 1. DESIGN/REVISIONS | 10-21-88 |
| 2. DESIGN/REVISIONS | 10-21-88 |
| 3. DESIGN/REVISIONS | 10-21-88 |
| 4. DESIGN/REVISIONS | 10-21-88 |
| 5. DESIGN/REVISIONS | 10-21-88 |
| 6. DESIGN/REVISIONS | 10-21-88 |
| 7. DESIGN/REVISIONS | 10-21-88 |
| 8. DESIGN/REVISIONS | 10-21-88 |
| 9. DESIGN/REVISIONS | 10-21-88 |
| 10. DESIGN/REVISIONS | 10-21-88 |
| 11. DESIGN/REVISIONS | 10-21-88 |
| 12. DESIGN/REVISIONS | 10-21-88 |
| 13. DESIGN/REVISIONS | 10-21-88 |
| 14. DESIGN/REVISIONS | 10-21-88 |
| 15. DESIGN/REVISIONS | 10-21-88 |
| 16. DESIGN/REVISIONS | 10-21-88 |
| 17. DESIGN/REVISIONS | 10-21-88 |
| 18. DESIGN/REVISIONS | 10-21-88 |
| 19. DESIGN/REVISIONS | 10-21-88 |
| 20. DESIGN/REVISIONS | 10-21-88 |

GRADING PLAN

| | |
|--------------------|------------------------------------|
| PROJECT NUMBER | 06-111-V |
| ARCHITECT/ENGINEER | UNITECH CONSULTING ENGINEERS, INC. |
| PROJECT NUMBER | 06-111-V |
| DATE | 10-21-88 |